

Rule 3-411. Grant management.

Intent:

To establish the policy and procedures for obtaining grant funds.

To delineate the responsibility for the administration of grant funds and projects.

To facilitate the coordination of grant funded projects in the courts.

Applicability:

This rule shall apply to the application process for and management of grants for the judiciary.

Statement of the Rule:

(1) Application process.

(1)(A) A person interested in applying for grant funds shall prepare a proposal including

(1)(A)(i) the issues to be addressed by the project,

(1)(A)(ii) an explanation of how the grant funds will contribute toward resolving the issues identified, and

(1)(A)(iii) an identification of possible funding sources for the continuing costs of the project when grant funds are no longer available.

(1)(B) If the applicant is seeking new federal funds or to participate in a new federal program, the proposal shall include:

(1)(B)(i) the number of additional permanent full-time and part-time employees needed to participate in the federal program; and

(1)(B)(ii) a list of any requirements the state must meet as a condition for receiving the federal funds or participating in the federal program.

~~(1)(B)~~-(1)(C) Submission of the proposal.

~~(1)(B)~~-(1)(C)(i) The proposal shall be reviewed by the court executives or their designees and the judges in the districts which will be affected by the project.

(1)(B)(ii) (1)(C)(i) If the court executives or their designees and the presiding judges in the districts which will be affected by the project approve the proposal, the proposal shall be forwarded to the grant coordinator at the administrative office.

(1)(B)(iii) (1)(C)(i) If the court executives or their designees and the presiding judges in the districts that the project will affect approve the proposal, but sufficient time to comply with paragraph ~~(1)(C)~~-(1)(D) prior to submission of the proposal to the funding source is not

available, the proposal may be submitted simultaneously to the funding source and the grant coordinator at the administrative office.

~~(1)(C)-(1)(D)~~ Review of the proposal. The grant coordinator shall review the proposal with the Finance Manager and the court level administrator. This review must be complete prior to submission to the Board(s) of Judges ~~under paragraph (1)(D)~~.

~~(1)(D)-(1)(E)~~ Recommendation by the Board of Judges. The Board of Judges for affected courts must recommend to the Council that the grant proposal be pursued.

~~(1)(E)-(1)(F)~~ Approval by the Council. Any proposal to apply for grant funds must be approved by the Council.

(1)(G) Approval by the Legislature. The Judicial Council shall submit proposals to the Legislative Executive Appropriations Committee or to the Legislature as required by Section 63-38e-204.

~~(1)(F)-(1)(H)~~ If the Council approves the proposal, the grant coordinator shall work with the requestor and the affected courts in seeking the grant funds. The administrative office shall constitute the designated agency for approving grant applications if such approval is required by the grant application.

~~(1)(G)-(1)(I)~~ If the Council or a Board of Judges does not approve the proposal, the proposal shall not be submitted to the funding source or, if already submitted to the funding source, the proposal shall be withdrawn.

~~(1)(H)-(1)(J)~~ No funds shall be accepted from a funding source until the proposal is approved ~~under paragraph (1)(E)~~.

(2) Administration of grant funds and projects.

(2)(A) The administrative office shall receive, administer and be accountable for all grant funds awarded to the courts and provide detailed budget reports to the Council upon request.

(2)(B) The administrative office shall name the project director for each grant. The project director may delegate the supervision of non-judicial daily operations and other non-judicial duties required by the grant. The presiding judges of the districts affected by the project shall supervise any judicial or quasi-judicial duties required by the grant.

(3) Grant applications by non-judicial branch applicants.

(3)(A) Endorsement of a grant application prepared by a non-judicial branch applicant may only be made by the Judicial Council.

(3)(B) Any grant application by a non-judicial branch applicant which contemplates participation of the courts or expenditures of court resources should be referred to the Judicial Council for review and endorsement. Judicial branch employees shall not participate in the preparation of a grant application by a non-judicial branch applicant without Judicial Council approval.